

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

NOTICE OF REMOVAL

Defendant hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against them: Delia Branham v. Sam's East, Inc. d/b/a Sam's Club, in the Circuit Court for Hamilton County, Tennessee, No. 22C841.

A copy of the summons is attached as Exhibit A. A copy of the complaint is attached as Exhibit B. Plaintiff is a citizen and resident of Hamilton County, Tennessee.

Sam's East, Inc., is the entity that operated the store on the date of this accident. Sam's Club is not a proper party to this action. It is expected that Sam's East, Inc. will be substituted as the proper defendant in this matter.

Sam's East, Inc., an Arkansas corporation, is an indirectly wholly-owned subsidiary of Wal-Mart Stores, Inc., a Delaware corporation. The principal place of business is 702 SW 8th Street, Bentonville, Arkansas.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. The complaint requests "a judgment against Defendant for the pain, suffering, and damages in an amount to be determined by a jury to be fair and reasonable, with such amount not to exceed \$120,000.00".

Defendant was served with process on September 15, 2022. Fewer than thirty days have expired since service of process on Defendant. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendant hereby gives notice of the removal of this action pending in the Circuit Court of Hamilton County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Southern Division, and requests that the proceedings be held thereon.

/s/ Maria T. de Quesada

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was electronically filed with the Court and was served by U.S. Mail, postage prepaid, upon:

Joshua Ward, Esq.
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this the 13th day of October, 2022.

/s/ Maria T. de Quesada